

ESTTA Tracking number: **ESTTA682566**

Filing date: **07/08/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Skin Inc. Global Pte. Ltd.
Granted to Date of previous extension	07/08/2015
Address	10 Tannery Lane #01-01 Singapore, 347773 SINGAPORE

Attorney information	Daphne Sheridan Bass Law Offices of Daphne Sheridan Bass 921 26th Street Santa Monica, CA 90403 UNITED STATES daphneblaw@gmail.com Phone:424-781-0988
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Applicant Information

Application No	86227685	Publication date	03/10/2015
Opposition Filing Date	07/08/2015	Opposition Period Ends	07/08/2015
Applicant	Trilogy Ventures, Inc. 8500 North Golf Drive Paradise Valley, AZ 85253 UNITED STATES		

Goods/Services Affected by Opposition

Class 003. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cosmetics, namely, skin creams, skin cleansers, skin toners and masks
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	86687010	Application Date	
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	My Daily Dose		
Goods/Services	Non-medicated skincare preparations		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	My Daily Dose		
Goods/Services	Non-medicated skincare preparations		

Attachments	Daily Dose OPT.pdf(4642047 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/daphne sheridan bass/
Name	Daphne Sheridan Bass
Date	07/08/2015

IN THE MATTER OF APPLICATION SERIAL NO. 86/227685
PUBLISHED IN THE OFFICIAL GAZETTE OF MARCH 10, 2015

Opposition Proceeding No. _____

Opposer, Skin Inc. Global Pte Ltd., a Singapore corporation having an address of 10 Tannery Lane, #01-01, BBS Building, Singapore 34773 Singapore, believes that it will be damaged by the registration of the trademark DAILY DOSE in Application Serial No. 86227685, filed on March 20, 2014, and hereby opposes the application.

1. Opposer, Skin Inc. Global Pte Ltd. (“Opposer”), has, since January, 2014, offered for sale and sold in commerce and is now offering for sale and selling in commerce, skincare products under the trademark MY DAILY DOSE.
2. Opposer has established rights in and to the trademark MY DAILY DOSE through its continuous use on skincare preparations under the trademark MY DAILY DOSE in interstate commerce since, at least, January, 2014.

3. Opposer is the owner of U.S. Trademark Application Serial No. 86/687010 for the trademark MY DAILY DOSE for "Non-medicated skincare preparations" in International Class 003. Opposer's "Use" application was filed on July 8, 2015. (Exhibit 1).
4. Opposer has used the mark MY DAILY DOSE in connection with skincare preparations since it began using the mark in January, 2014.
5. Applicant, Trilogy Ventures, Inc. ("Applicant"), is a corporation organized under the laws of Arizona having an address of 8500 North Golf Drive, Paradise Valley, AZ 85253.
6. Applicant has applied in Application Serial No. 86/227685 to register the mark DAILY DOSE for "Cosmetics, skin creams, skin cleansers, skin toners and masks" in Class 3.
7. Application Serial No. 86/227685 was filed on March 20, 2014, under Section 1(b) of the Trademark Act, as amended.
8. Opposer's rights in the trademark MY DAILY DOSE are prior to Applicant's rights in the DAILY DOSE trademark.
9. Upon information and belief, Applicant has made no use of the mark DAILY DOSE prior to the filing date of March 20, 2014.
10. Opposer has expended considerable sums of money in advertising, using, promoting and developing public awareness for its mark and goods provided under the mark MY DAILY DOSE. As a result of such expenditure and efforts and its products being of consistently high quality, Opposer's mark MY DAILY DOSE has earned valuable and extensive goodwill and favorable reputation with the public as a mark with distinguishes Opposer's goods as the source of quality products.
11. Applicant's mark DAILY DOSE is confusingly similar to Opposer's mark MY DAILY DOSE in appearance, sound and commercial impression and is likely, when used in conjunction with the Class 3 goods identified in Applicant's application, to cause confusion or to cause deception.

12. Applicant's Class 3 goods as set forth in its application are related to Opposer's goods and would be offered through the same or similar channels of trade, and used by one or more of the same classes of purchasers and users, such that consumers will be confused, mistaken or deceived into believing that Applicant's goods originate from, are authorized by or are in some way connected with Opposer.
13. Registration to Applicant of the DAILY DOSE trademark would be inconsistent with Opposer's prior rights in its MY DAILY DOSE trademark, and would threaten to destroy Opposer's investment and goodwill in the mark.
14. Opposer will be damaged by registration of the DAILY DOSE trademark as shown in Application Serial No. 86/227685.

WHEREFORE, Opposer, Skin Inc. Global Pte. Ltd., prays that this Opposition be sustained and that registration be refused for the DAILY DOSE mark shown in Application Serial No. 86/227685.

Date: July 8, 2015

Respectfully submitted,

SKIN INC. GLOBAL PTE LTD.

By: 

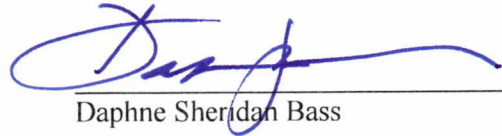
Daphne Sheridan Bass, Esq.
921 26th Street
Santa Monica, CA 90403
424-781-0988
Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION with Exhibit 1 is being served via the United States Postal Service on the date shown below with sufficient postage prepaid as First Class Mail in envelope addressed to:

William B. Kircher, Esq.
Husch Blackwell LLP
4801 Main Street – Suite 1000
Kansas City, Missouri 64112

on this 8th day of July, 2015.



Daphne Sheridan Bass

EXHIBIT 1



Daphne Bass <daphneblaw@gmail.com>

Serial number 86687010: Received Your Trademark/Service Mark Application, Principal Register

1 message

TEAS@uspto.gov <TEAS@uspto.gov>

To: daphneblaw@gmail.com

Wed, Jul 8, 2015 at 1:22 PM

1. **YOUR MARK:** MY DAILY DOSE (Standard Characters, mark.jpg)
The literal element of the mark consists of MY DAILY DOSE.
The mark consists of standard characters, without claim to any particular font, style, size, or color.

2. **YOUR SERIAL NUMBER:** We have received your U.S. Trademark Application and assigned serial number '86687010' to your submission. A summary of your application data is provided at the bottom of this message and serves as your official filing receipt. Please keep a copy of this information for your records. All correspondence concerning the application should reference your assigned serial number.

Please read all of the important information below. Not every mark is registrable with the USPTO and we do not refund the application filing fee(s) if a registration does not ultimately issue.

3. **RECEIVING E-MAIL COMMUNICATIONS/FILING DOCUMENTS ON-LINE:** Because you have authorized receipt of correspondence by e-mail, please make sure that your server will accept USPTO e-mail and not treat it as SPAM. If you must submit correspondence to us, please use the Trademark Electronic Application System (TEAS) forms, available at <http://www.uspto.gov/trademarks/teas/index.jsp>. Applicants who filed their application online using the TEAS Plus application form must (1) continue to submit certain documents online using TEAS, including responses to Office actions (see http://www.uspto.gov/trademarks/teas/required_tegas_filings.jsp for a complete list of these documents); (2) accept correspondence from the USPTO via e-mail throughout the examination process; and (3) maintain a valid e-mail address. TEAS Plus applicants who do not meet these three requirements must submit an additional processing fee of \$50 per international class of goods and/or services. However, in certain situations, authorizing an examiner's amendment by telephone will not incur this additional fee.

4. **KEEP YOUR ADDRESS CURRENT IN USPTO RECORDS:** We do not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must update the correspondence and/or owner's address if a postal address and/or e-mail address changes, using the form(s) available at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

5. **WARNING ABOUT UNSOLICITED COMMUNICATIONS:** You may receive trademark-related communications from private companies not associated with the USPTO. These communications frequently display customer-specific information, including your USPTO serial number or registration number and owner name, and request fees for trademark-related services, such as monitoring, listings in international publications, and document filing. None of the companies offering these services are affiliated with the USPTO or any other federal agency. All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from

the domain "uspto.gov." Please consult the "Warning" page on the Trademarks section of the USPTO's website for further information about unsolicited communications and to view representative examples of them. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult www.uspto.gov, contact the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199.

6. **LEGAL EXAMINATION PROCESS:** Your application is now pending examination. In approximately 3 months, your application will be assigned to a USPTO examining attorney for review. The application cannot mature into a registration unless all legal requirements are met, and many applications never satisfy these requirements and therefore never register. The overall process can take up to 18 months.

7. **CHECK STATUS AND REVIEW DOCUMENTS OR YOUR APPLICATION MAY BE UNINTENTIONALLY ABANDONED:** You must check the status and review all documents associated with your application at least every 3-4 months using Trademark Status and Document Retrieval (TSDR), available at <http://tsdr.uspto.gov>.

Promptly e-mail the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199 (select option #1) if an Office action (letter from the USPTO) or notice has issued for your application that you did not receive or do not understand. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

8. **FILING ERRORS:** If you discover an error in the application data, you must file a Voluntary Amendment at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do not submit any proposed amendment to TEAS@uspto.gov, because the TEAS technical support team may not make any data changes. Please wait approximately 7 days after the filing date of your application to submit a Voluntary Amendment in order to allow for initial upload of your application data into the USPTO database. The assigned examining attorney will determine the acceptability of any Voluntary Amendment during examination. Not all errors may be corrected. For example, if you submitted the wrong mark or if the proposed correction would be considered a material alteration to your original filing, it will not be accepted. In this situation, your only recourse would be to file a new application, with a new fee and no refund of your original filing fee.

9. **REQUEST FOR REFUND AND/OR CANCELLATION:** Since your application has already been assigned a serial number, please do not contact TEAS@uspto.gov to request a refund or to cancel the filing. We will only cancel the filing and refund the filing fee if the application does not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.

In the limited situation where you inadvertently filed identical applications, one immediately after the other, because no confirmation of the first filing was received, please provide both serial numbers to the technical support team at TEAS@uspto.gov.

10. **SelectUSA:** The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit SelectUSA.gov or call +1-202-482-6800.

SUMMARY OF APPLICATION DATA FOLLOWS:

APPLICATION DATA: You have filed a **Trademark/Service Mark Application** for registration on the **Principal Register** using a **TEAS Plus** application form.

The applicant, Skin Inc. Global Pte. Ltd., a corporation of Singapore, having an address of
921 26th Street,
10 Tannery Lane, #01-01, BBS Building
Singapore 86227685, California 90403
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 003: Non-medicated skin care preparations

In International Class 003, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 01/29/2014, and first used in commerce at least as early as 01/29/2014, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Bottles containing the product bearing the mark.

Specimen-1 [SPE00-172911015-20150708161031966065_._MDD_070815.jpg]

The applicant's current Attorney Information:

Daphne Sheridan Bass of Law Offices of Daphne Sheridan Bass
921 26th Street
921 26th Street
Santa Monica, California 90403
United States

The applicant's current Correspondence Information:

Daphne Sheridan Bass
Law Offices of Daphne Sheridan Bass
921 26th Street
921 26th Street
Santa Monica, California 90403
4247810988(phone)
310-774-0046(fax)
daphneblaw@gmail.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided below. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods and/or services.

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /daphne sheridan bass/ Date: 07/08/2015
Signatory's Name: Daphne Sheridan Bass
Signatory's Position: Attorney to Applicant
Signatory's Phone Number: 424-781-0988

Thank you,

The TEAS support team
Wed Jul 08 16:22:10 EDT 2015
STAMP: USPTO/FTK-172.91.101.5-20150708162210562242-86687010-5305ec97643b75de3c56878664c6cb57d154fa44d5d9b6e56114e275f1c5
85dc0ed-CC-2776-20150708161031966065